IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.11339-M of 2006

DATE OF DECISION: NOVEMBER 30, 2006

Samdev Dasgupta and another

...PETITIONERS

VERSUS

Raja Shivdev Inder Singh

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.A.K.Chopra, Sr. Advocate
with Mr.Harminder Singh, Advocate,
for the petitioners.
Mr.Aman Chaudhary, Advocate,
for the respondent.

...

After arguing for some time, learned counsel for the petitioners prays for withdrawing the present petition with liberty to his clients to take all the pleas available to them at the appropriate stage.

Dismissed as withdrawn with liberty aforementioned.

Learned counsel for the petitioners submits that petitioner-Debaline Dasgupta is a woman and finds it practically impossible to attend the proceedings of the trial on each and every date.

Let petitioner No.2-Debaline Dasgupta moves the trial court for the grant of exemption from personal appearance which shall be allowed by the trial court subject to any condition which the said court may like to impose.

In case Samdev Dasgupta- petitioner No.1 also files an application for exemption from personal appearance, the same shall be considered by the trial Court in accordance with law in view of the law laid down by the Supreme Court in M/s.Bhaskar Industries Ltd. v. Bhiwani Denim & Apparels Ltd., 2001(4) RCR (Crl.) 137. It will be open for the complainant to contest the said application before the trial Court.

November 30, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE